

DOCKET NO. 5:23-MC-00007

**GOVERNMENT’S MOTION FOR EXTENSION OF TIME TO FILE
COMPLAINT FOR FORFEITURE**

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On or about March 25, 2023, law enforcement seized \$10,825.98 in U.S. currency as a result of a Search Warrant issued for a Days Inn room in which Mr. Dula was staying.

On or about April 4, 2023, law enforcement seized \$4,450.00 in U.S. currency as a result of a vehicle search post arrest of Mr. Dula.

On May 15, 2023, the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) sent notice of administrative forfeiture proceedings to Mr. Dula as to the Defendant Currencies. On or about May 30, 2023, Mr. Dula filed a claim with ATF pursuant to 18 U.S.C. § 983(a)(2), requesting that the Government file a complaint for forfeiture as to the Defendant Currencies.

Pursuant to 18 U.S.C. § 983(a)(3), the Government has 90 days after a claim has been filed to initiate a complaint for forfeiture. Accordingly, the Government’s current deadline to file a complaint for forfeiture is August 28, 2023. However, this deadline may be extended. Specifically, 18 U.S.C. § 983(a)(3) allows “a court in the district in which the complaint will be filed [to] extend the period for filing a complaint for good cause shown or upon agreement of the parties.”

The Government has good cause for the extension. Specifically, the Government needs additional time to obtain and review all of the documentation concerning the seizure of the Defendant Currencies.

For this reason, the Government requests a 4-day extension of time to file a complaint for forfeiture concerning the Defendant Currencies, if any, through September 1, 2023.

Respectfully submitted this 28th day of August, 2023.

DENA J. KING
UNITED STATES ATTORNEY

s/ Jonathan D. Letzring
JONATHAN D. LETZRING
Assistant United States Attorney
Georgia Bar No. 141651
Room 233, U.S. Courthouse
100 Otis Street
Asheville, North Carolina 28801
Telephone No. (828) 271-4661
jonathan.letzring@usdoj.gov